

### REMARKS

The invention is a method for maintaining accuracy of a clock which keeps clock time, a clock for use in a radio communications device which keeps clock time, and a radio communication device which keeps clock time.

The invention contains numerous novel features which are not taught in the prior art which include that actual clock time, as set on a first occasion, is stored and that adjusting of a time keeping operation of the clock is on a basis of a difference between stored actual clock time as set on the first occasion and the actual clock time just prior to the second occasion; intelligence is provided that detects whether adjustments to the time keeping operation of the clock should be made or not as, for example, based upon whether a battery is remove; re-tuning of an oscillator which is useful when the clock forms part of a radio device having a baseband and a radio interface and the oscillator is used to provide a time base to the baseband; the clock is part of a radio device and the actual clock time is set by a remote time reference via a radio interface of the radio device and the time keeping operation of the clock is adjusted based on predictive models of behavior of components of the clock.

The Examiner's restriction of claim 56 is noted. Claim 56 has been amended to recite adjustment of the timekeeping operation which is within the subject matter of the claims upon which the Examiner has previously acted.

Claim 54 stands rejected under 35 U.S.C. §112, second paragraph, regarding antecedent basis for "the first occasion" and the reference to "the clock". Claim 54 has been amended to overcome the stated grounds of rejection.

Claims 27-29, 31, 32, 40, 54 and 55 stand rejected under 35 U.S.C. §102 as being anticipated by United States Patent 4,407,589 (Davidson et al). These grounds of rejection are traversed for the following reasons.

At the outset, it is noted in Sections 12 and 13 of the Office Action that the Examiner contends that the substance of Applicants previous remarks include that "Davison fails to teach that the clock time is an actual clock time" and further, Davidson does not explicitly teach the limitation...there is no claim language directed to the above limitation (emphasis added)". Each of the claims has been amended when reference is made to clock time to refer to setting or resetting of actual clock time and further to a difference in the actual clock time. Accordingly, it is submitted that the Examiner's observation is not applicable to the current claims as amended.

With respect to the teachings of Davidson regarding the rejected claims, it should be noted that the second embodiment of Davidson, which is described in the referenced portions of Davidson on which the Examiner relies, pertains to using a pre-stored expected time value which is distinguished by the current recitation in claims 27-29, 31, 32, 40, 54 and 55 which are each limited to setting of actual clock time on a first occasion and as second occasion and further adjusting a timekeeping operation of the clock on the basis of the difference in the actual clock time relative to the first and second occasions which has no counterpart in Davidson et al. For the reasons set forth above that Davidson utilizes a pre-stored expected time value which does not pertain to actual time, the claims are not anticipated.

Moreover, there is no basis in the record why a person of ordinary skill in the art would be led to modify the teachings of Davidson et al to arrive at the subject matter of claims 27-29, 31, 32, 54 and 55.

Claims 30, 33-39, 41-53, and 57-59 stand rejected under 35 U.S.C. §103 as being unpatentable over Davidson et al in view of United States Patent 5,528,560 (Ogyiama). Ogyiama has been cited as teaching that the clock forms part of a radio device wherein the clock time is set by a remote time reference by a radio interface of a radio device. Ogyiama does not cure the deficiencies noted above with respect to Davidson in the rejection of claims 27-29, 31, 32, 40, 54 and 55 as being anticipated thereby.

With respect to independent claim 34, neither Davidson et al nor Ogyiama discloses the time setting means for resetting the clock on a first occasion to a first actual clock time and on a second occasion to a second actual clock time and the adjustment means which adjusts the timekeeping operation of the clock on the basis of the time which elapsed between the first and second occasions and a difference in the actual clock time just prior to the second occasion in the actual clock time as set on the first occasion. Moreover, the subject matter of dependent claims 35-39 is also not rendered obvious by the combination of Davidson et al and Ogyiama in view of the foregoing reasons.

Claim 36 further limits claim 34 in reciting the adjustment means includes means for retuning the oscillator. There is no basis in the record why a person of ordinary skill in the art would be motivated to retune the

oscillator 11 in Davidson et al to correct time in view of the correction of time in Davidson being based upon a frequency divider 12 which is driven by a division divisor changing circuitry 27 that does not directly involve the oscillator except by impermissible hindsight.

Moreover, claim 38 further limits claim 34 in reciting means to adjust the timekeeping operation of the clock based on predicted models of the behavior of the components of the clock. This subject matter is not disclosed in either Davidson et al or Ogiyama. It is noted that the Examiner has not discussed this limitation in the rejection of the claims.

Claim 45 further limits claim 35 in reciting that the clock comprises an oscillator having an oscillating frequency and the adjustment means includes the means for retuning the oscillating frequency of the oscillator. Claim 45 is patentable for the same reasons set forth above with respect to claim 36.

Claims 47-49 respectively limit claims 35-37 in reciting means to adjust the timekeeping operation of the clock based on predicted models of behavior of the components of the clock. As stated above with respect to claim 38, the combination of Davidson and Ogiyama does not teach means to adjust the timekeeping operation of the clock based on predicted models of the behavior of the components of the clock.

Independent claim 57 is patentable for the same reasons set forth above with respect to claim 34 regarding the resetting of actual clock time on a first occasion and on a second occasion and further, adjustment means for resetting the actual clock time based on a difference in the actual clock time just prior to the second occasion and the actual clock time as set on the

second occasion. Moreover, claim 57 further recites the adjustment being accomplished by retuning the oscillator on the basis of the time which has elapsed between the first and second occasions. As stated above, the combination of Davidson and Ogiyama does not teach a retuning of an oscillator.

Claim 58 is patentable for the same reasons set forth above with respect to claim 57.

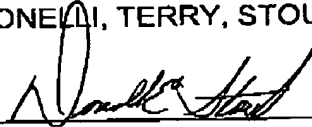
Claim 59 is patentable for the same reasons set forth above with respect to claim 34 and further for the reasons set forth above with respect to the combination of Davidson and Ogiyama not teaching that the adjustment means adjusts the timekeeping operation of the clock based on predicted models of the behavior of components of the clock.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (1156.43039TRN) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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